

RECORD OF PROCEEDINGS

THORN TOWNSHIP TRUSTEES

SPECIAL SESSION

Held: October 6, 2025
Page 1

The Board of Trustees of Thorn Township convened in special session from 5:00 P.M. to 5:57 P.M. in the Township Hall. Trustee Boring called the meeting to order with the following members and visitors present:

Members:

Billie Dearlove	Absent	Richie Boring	Present
Richard Wilson	Present	Bradley Blain	Present

Visitors: Anna Cox, Tom Gwinn, Amy Gill, Zak Gorsuch, Bethany Gwinn, Valerie Demaline, Greg Demaline, Amy McCartney (Zoning Attorney Julie Donnan via phone)

Trustee Boring stated that tonight’s meeting is to consider a proposed District Change Application from Rural Residential to Special Use for the property located at 8935 & 8945 State Route 204 N. W. Trustee Boring stated the Zoning Board voted a Denial for the application at the Zoning Public Hearing and the trustees can vote to accept their Denial or vote to not accept the Denial and allow the district change.

Trustee Boring asked Tom Gwinn to present the information for his application.

Tom Gwinn stated he was a retired State Patrol. He stated he is certified in gun training and fire arm safety. He said in 2016 he got his Pistol & Rifle Certifications. He stated that friends and family started asking him to teach CCW classes. His daughter and son-in law purchased the property that is listed in the application and agreed to lease him the property to construct the range. He stated that he had a misunderstanding with Zoning Inspector Corns and he constructed the gun range. He was then contacted by Ed Corns and was told that he had to shut down the range - he complied. He stated that he followed rules and regulations from ODNR and NRA on the construction of the range. He stated he would like for this to eventually become a private club and gun training range but for now it will be semi-public until he gets established. He stated that the three area property owners do not have a problem with the gun range and most of the surround property is owned by his son in-laws grandfather. Mr. Gwinn stated that if the trustees have any questions for him he would be happy to answer those.

Trustee Blain asked who is property owner? Mr. Gwinn stated the owners are his son in-law and daughter Tom McCartney and Bethany Gwinn who have a Land Contract from Larry McCartney; Tom’s Grandfather.

Trustee Blain asked Zoning Inspector Corns if this property is changed from Rural Residential to Special Use this opens up a lot of things that could be utilized on this property if the range ever closed, so if the range closed this property would still be zoned Special Use correct? Inspector Corns stated yes it would remain as Special Use.

Bethany Gwinn asked if there is a way to set a boundary so that this Special Use Application only applies for their ownership and the it would be voided if the property was to be sold? Trustee Blain said that he is just concerned about future of the property and what could happen in the future.

Trustee Blain asked the Zoning Attorney Julie Donnan for Thorn Township via phone on speaker if they were to spot zone this property from Rural Residential to Special Use in a residential area, is there a way for the property to revert back to residential if the current property owners were to sell the property? The Zoning Attorney stated this is called Reverted Zoning and it does not automatically revert back to prior zoning, it would have to go thru the process, initiated by the trustee’s, the Zoning Board or the property owners and there is no guarantee that it would be granted. Trustee Blain stated so if we spot zone this property as Special Use it would stay as special use. The Zoning Attorney stated yes. Trustee Blain asked if they could add a condition to the application if the property owners were to sell the property or they closed down the range so it automatically comes back to the board to reclassify? The Zoning Attorney stated they could add that condition, however again enforceability may be an issue. The new owners purchasing the property could have a legal argument, especially if what they intend to do with the property falls under the guidelines for the Special Use.

RECORD OF PROCEEDINGS

THORN TOWNSHIP TRUSTEES

SPECIAL SESSION

Held: October 6, 2025

Page 2

The attorney for Mr. Gwinn stated that we considered originally filing this as a variance request but we were advised this was the route to go; this is the one the trustees would prefer, but if a variance is more digestible for the trustees we could go this route. The Zoning Attorney for Thorn Township stated the Use Variance may not get everyone where they want to go.

Trustee Wilson stated the property is not owned by the applicant and it is a private road going back to this property. He said my question is, do the other property owners want all this traffic going back thru there? Mr. Gwinn said he has already spoke with the property owners and they have no issues with this.

Trustee Blain asked if the actual property owner needs to apply for this district change? The Thorn Township Zoning Attorney stated the applicant does not have to be the property owner themselves but the owner must acknowledge and be on board with the application. Mr. Gwinn stated that Mr. McCartney the actual land owner has seen the application and he has no issues with it.

Trustee Wilson asked if we could go over about the variance again? Zoning Inspector Corns asked the Zoning Attorney for Thorn Township if he is correct; that a Variance has a higher degree of difficulty over the Special Use? The Thorn Township Zoning Attorney stated yes, the variance has a higher degree of difficulty for the applicant to reach and would go thru the Board of Zoning Appeals and not the trustees.

Trustee Boring asked if the public had any questions.

There were no questions from the public, one comment was made that they were here tonight to show support Tom.

The attorney for Mr. Gwinn said that there were some concerns on the Zoning Commission level; when the panel indicated they were going to vote one member did want to see the range but she was kind of hurried in to making a decision even though she had not seen the range and then when she did vote she indicated she wanted to change her vote and was told she couldn't. So if she had changed her vote, this would have been a vote in favor of the range. So we would like for you to consider all of these irregularities.

The Thorn Township Zoning Attorney stated just to clarify, there were 2 votes that night. One was for Recommended Approval; which was voted down 3-2, and the seconded was a motion to deny; which was approved 3-2. She said I am not denying the lady did say she wanted to change her vote, unfortunately the voting had occurred and obviously that cannot happen.

Mr. Gwinn said it was actually 2 separate incidents, one lady did want to see the range but she was told they were afraid they may not have quorum for a second meeting so they proceeded with the vote and the other lady did say after they had voted that she wanted to change her vote.

The Zoning Attorney for Thorn Township stated from a legal standpoint, no improprieties occurred with the voting.

Trustee Boring asked if they had to make a decision on this tonight? The Zoning Attorney for Thorn Township stated no, you could ask for a continuance to get more information or you could close the hearing and then you would have to make a decision within 20 days, or you can make a decision and vote tonight. Zoning Inspector Corns asked what the time limit is on a continuance? She stated there is no time frame on a continuance.

A brief discussion was held by the trustees with concerns about what might happen with this property in the future if the gun range were to close or property was sold. Trustee Boring asked how many acres is this property? Mr. Gwinn stated 6 acres. The Thorn Township Zoning Attorney asked Trustee Blain if he had a specific concern about the future of the property if it were not a gun range. He stated he just would not like to see it become a land fill or micro type dump. The Thorn Township Zoning Attorney asked if it would help if she went over the permitted uses for Special Use? Trustee Blain said yes it would. She stated that the permitted uses would be: public buildings such as meeting halls, schools, libraries etc., churches with more than 500 seats in the main sanctuary, cemeteries with more than 200

RECORD OF PROCEEDINGS

THORN TOWNSHIP TRUSTEES

SPECIAL SESSION

Held: October 6, 2025
Page 3

graves, commercial facilities such as race tracks, stadiums, etc., commercial recreation areas such as gun clubs, summer camps etc. and camp grounds.

Trustee Blain said this is the 2nd public hearing for this, was there any opposition at the first hearing? Zoning Inspector Corns said they had one from Dave Hoops. He said he could hear the noise at his house and he had concerns about issues if he was out in the field. Mr. Gwinn said he spoke with Mr. Hoops after the meeting and he is fine with it.

Trustee Wilson asked if the range would be open on Sundays? Mr. Gwinn said yes it would be because people work thru week and like to come out and shoot on the weekends. Trustee Wilson expressed that he would like to see it open after 12:00 if it is open on Sundays. Mr. Gwinn said he did not see a problem with that and he will comply with that.

Motion: A motion to deny the Zoning Commission’s recommendation of denial of Application for District Change submitted by Larry McCartney seeking to rezone property located at 8935 & 8945 State Route 204 NW from Rural Residential to Special Use District, **and the rezoning is hereby approved.** Pursuant to Article VI.9 of the Zoning Resolution, the Board finds that the proposed amendment is compatible with the zoning and use of adjacent land, and with any land use or comprehensive plan adopted by Thorn Township; and that the effect of the adoption of the proposed amendment will not substantially or negatively impact vehicles access, traffic flow, storm drainage, or the public health, safety, or general welfare of the adjacent properties and other residents of the Township was made by Trustee Wilson and seconded by Trustee Boring. **Votes were:** Richie Boring; Aye, Richard Wilson; Aye, Bradley Blain; Aye.

Meeting Adjourned:
 With no further business to discuss, a motion was made to adjourn the meeting at 5:57 P.M. by Trustee Wilson and seconded by Trustee Blain. **Votes were:** Richie Boring; Aye, Richard Wilson; Aye, Bradley Blain; Aye,

<u>Absent</u> Billie Dearlove	Richie Boring
Richard Wilson	Bradley Blain

All of the formal actions of Thorn Township concerning and relating to the adoption of resolutions and/ or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.